

**ASSEMBLY – 35th SESSION**

**EXECUTIVE COMMITTEE**

**Agenda Item 16: Improvement of safety oversight**

**REGIONAL SAFETY OVERSIGHT ORGANIZATIONS**

(Presented by the United States of America)

**SUMMARY**

The ICAO Universal Safety Oversight Audit Program (USOAP) has identified serious safety deficiencies in many Contracting States around the world. An underlying foundation of ICAO's proposed unified strategy to resolve safety-related deficiencies is the concept of partnership. Cooperation among ICAO Contracting States is an essential element in improving the global system of safety oversight. One key tool is the regional (or sub-regional) safety oversight organization. There are already several regional safety organizations, with functions ranging from advisory services to the carrying out of delegated oversight responsibilities, and more are being developed. To this end, ICAO has recently assisted Contracting States with its publication of new and valuable guidance material in the form of Part B of the Safety Oversight Manual (Doc 9734) – Establishment and Management of a Regional Safety Oversight System. ICAO should encourage all Contracting States to participate or assist in the creation and implementation of such systems wherever they can improve safety oversight.

**1. INTRODUCTION**

1.1 An analysis of the results of the Universal Safety Oversight Audit Program (USOAP) indicates that a number of Contracting States have not made satisfactory progress in the resolution of safety concerns identified at the time of their initial audits. This experience has been further validated by the audit follow-up visits that indicated that while most Contracting States continued to make progress in the implementation of their corrective action plans and the resolution of safety issues, approximately 25 percent continue to experience difficulties in the implementation of their corrective action plans. This problem is not limited to any particular region or level of development.

1.2 These common residual and intractable deficiencies include lack of an established and adequately funded civil aviation authority (CAA), inadequate civil aviation law, regulations and guidance material, insufficient numbers of technical personnel, and ineffective systems for certification, licensing, surveillance and resolution of safety issues. The consequences of these deficiencies are an inability to attract, recruit and retain qualified technical personnel, frequent changes in leadership, and consequently, inadequate safety oversight, thus putting the flying public at risk.

## 2. **DISCUSSION**

2.1 Regional safety oversight organizations further two key goals: (a) improved effectiveness through economies of scale and (b) uniformity in safety regulation. Establishing a regional or sub-regional organization responsible for performing safety oversight tasks for its participating States can provide an effective and efficient system for improving safety by allowing for sharing of qualified and adequately compensated aviation safety personnel and other technical resources. The tasks a regional organization can perform cover a wide range. At one end, a regional organization can act as an expert advisory and consultative service that can lend personnel to national authorities and help them establish and maintain effective oversight systems. This kind of mechanism is relatively easy to set up, and is the most common model currently in use. At the other end of the spectrum, a regional organization can be delegated the execution of some or most of the safety oversight responsibilities of a Contracting State. This normally would require a treaty relationship, with either a free-standing instrument or a modification of an existing economic unification arrangement.

2.2 Effective existing regional safety oversight systems share common characteristics such as the following:

- A legal framework compatible with the laws of each participating State and any existing regional economic integration mechanism (national laws, treaties, charters, inter-State agreements)
- Harmonized aviation laws of each participating State (laws must be adequate and current.)
- Sustained political and economic support from all participating States
- A common regulatory system that is standardized and harmonized, yet provides flexibility to accommodate national variations
- A stable economic base. Funding sources may include contributions from participating States, fees for services to industry, sharing of overflight revenue, grants, and loans.
- A board of directors whose membership is drawn from all participating States
- Management and technical staff including an executive director, technical advisors/inspectors, and administrative support
- Facilities, administrative and technical equipment, and motor vehicles
- Strategic plans that establish objectives and business plans that set work programs to achieve objectives

2.3 Other ancillary but important considerations include:

- Geographical location of regional organization's headquarters
- Selection of the board of directors and executive director
- Acquisition and allocation of resources

- Reforming CAA structures and safety oversight functions
- National systems for resolution of safety issues identified by the regional organizations

2.4 FAA has recognized the importance of assisting States in enhancing their national safety oversight capabilities, and in creating and enhancing regional safety oversight organizations. In this regard, FAA has provided support and assistance to new and existing regional organizations such as the Central American Agency for Aviation Safety (ACSA), the Regional Aviation Safety Oversight System for the Caribbean (RASOS), the Pacific Aviation Safety Office (PASO), and the East African Community (EAC).

2.5 Until recently, ICAO generally encouraged the development of regional safety oversight organizations but did not recognize their existence by providing for them in safety oversight guidance materials. During the 33<sup>rd</sup> Assembly, the United States introduced A33-WP/158 which noted that regional organizations were already a significant presence that could only intensify once States realized the benefits of eliminating duplication of effort and standardizing oversight structures. This paper urged ICAO to revise publications such as the ICAO Safety Oversight Manual (Doc 9734), the Manual of Procedures for an Airworthiness Organization (Doc 9389), the Manual of Procedures for Operations Certification and Inspection (Doc 8335), and the Manual of Procedures for Establishment and Management of a State's Personnel Licensing System (Doc 9379). The USOAP questionnaires and checklists should also take regional organizations into account. ICAO has begun this process with its publication of new and valuable guidance material in the form of Part B of the Safety Oversight Manual (Doc 9734) – Establishment and Management of a Regional Safety Oversight System. We strongly encourage ICAO to expand and intensify their efforts in this area.

3. **ACTION BY THE ASSEMBLY**

The Assembly is invited to:

- a) *acknowledge* the difficulties encountered by some Contracting States in meeting their safety oversight obligations under the Chicago Convention;
- b) *recognize* that the establishment of regional and sub-regional safety oversight organizations has great potential to assist States in complying with their obligations under the Chicago Convention through economies of scale and promotion of uniformity on a larger scale;
- c) *endorse* the concept of regional safety oversight organizations and encourage Contracting States to participate in, or provide tangible support for, the strengthening and furtherance of regional safety oversight organizations; and,
- d) *direct* the Council, to the end noted above, to promote the use and active consideration of the new guidance material (Part B, Doc 9734) and to continue to modify guidance materials and Universal Safety Oversight Audit tools to reflect the emergence of regional safety organizations.